

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION**

**CLARA S. MITCHELL, as the personal
representative of BOBBY L. MITCHELL,
deceased,**

Plaintiff,

v.

**DEBBIE A. SWEET and STATE FARM
MUTUAL AUTOMOBILE INSURANCE
COMPANY,**

Defendants.

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Civil Action Number:

3:05cv1210-WKW

STATUS REPORT

Comes now the Defendant State Farm Mutual Automobile Insurance Company (hereinafter, "State Farm") in the above-styled action and hereby submits this Status Report:

1. This case is settled between the Plaintiff and the Defendant. The only issue remaining to be resolved is the determination of Medicare's/CMS's subrogation interest in the distribution of the proceeds of the settlement.

2. Counsel for Medicare/CMS has now entered an appearance in this case.

3. State Farm has recently filed its Renewed Motion for Adjudication of Medicare Subrogation Interest to determine Medicare's interest, if any, in the settlement proceeds. Again, this is the sole remaining issue which must be resolved before finalizing settlement.

4. Counsel for State Farm has consulted with counsel for the Plaintiff and counsel for Medicare/CMS regarding the contents of this Status Report.

s/ Stanley A. Martin

Stanley A. Martin (MAR049)

S. Allen Martin, Jr. (MAR149)

Attorneys for Defendant

State Farm Mutual Automobile Insurance
Company

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 4th day of May, 2007, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/ Stanley A. Martin

Stanley A. Martin

S. Allen Martin, Jr.